

# **Exhibit 9**

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**From:** Geoff Baker [gabaker@dowellbaker.com]  
**Sent:** Friday, February 29, 2008 11:50 PM  
**To:** 'Edward Manzo'; robert@karton.us; vern@francissenpatentlaw.com  
**Cc:** 'Joel Bock'; 'Jason Smalley'; 'Louis Alex'  
**Subject:** RE: Plaintiff Miyano Machinery USA, Inc.'s First Set of Requests for the Production of Documents and Things

Ed,

Our answer and counterclaims should clarify this for you. Please let us know where and when it is convenient for these witnesses to be produced for deposition.

Geoff

Geoffrey A. Baker  
DOWELL BAKER, P.C.  
229 Randolph Street  
Oak Park, IL 60302  
Phone: 708-660-1413  
Fax: 312-873-4466  
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**From:** Edward Manzo [mailto:[emanzo@cookalex.com](mailto:emanzo@cookalex.com)]  
**Sent:** Friday, February 29, 2008 9:34 PM  
**To:** 'Geoff Baker'; robert@karton.us; vern@francissenpatentlaw.com  
**Cc:** 'Joel Bock'; 'Jason Smalley'; 'Louis Alex'  
**Subject:** RE: Plaintiff Miyano Machinery USA, Inc.'s First Set of Requests for the Production of Documents and Things  
**Importance:** High

Geoff,

We have passed along your request. However, it seems to me that these non-parties and their employer would like a reason why they should modify their schedules. I think they would expect something more than you just think you need them or that "[y]our views have been confirmed."

We still await your answer to the complaint.

Sincerely,

**Edward D. Manzo**  
Attorney at Law  
[emanzo@cookalex.com](mailto:emanzo@cookalex.com)

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Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd.

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**From:** Geoff Baker [mailto:gabaker@dowellbaker.com]  
**Sent:** Friday, February 29, 2008 7:43 PM  
**To:** 'Edward Manzo'; robert@karton.us; vern@francissenpatentlaw.com  
**Cc:** 'Joel Bock'; 'Jason Smalley'; 'Louis Alex'  
**Subject:** RE: Plaintiff Miyano Machinery USA, Inc.'s First Set of Requests for the Production of Documents and Things

Ed,

We've already been through this once during our teleconference on Monday. Our reasoning and views have not changed. In fact, based on the documents that you produced, our views have been confirmed. Please, just let us know whether you have checked into the witnesses' availability to sit for a deposition. We are willing to conduct the depositions in the US or in Japan, as we said during our teleconference earlier this week.

We look forward to hearing from you.

Geoff

Geoffrey A. Baker  
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**From:** Edward Manzo [mailto:emanzo@cookalex.com]  
**Sent:** Friday, February 29, 2008 5:53 PM  
**To:** 'Geoff Baker'; robert@karton.us; vern@francissenpatentlaw.com  
**Cc:** 'Joel Bock'; 'Jason Smalley'; 'Louis Alex'  
**Subject:** RE: Plaintiff Miyano Machinery USA, Inc.'s First Set of Requests for the Production of Documents and Things

Dear Geoff,

Could you please advise us of the reason why you need the testimony of these non-party witnesses, Messrs. Ito, Nakagiri and Ichikawa?

Are you willing to do these depositions by teleconferencing?

If in-person deposition is needed of these non-party witnesses, are you willing to travel to an intermediate point between Chicago and Japan (preferably where you can still find a court reporter)? Their availability depends on why, when, how long, and where. They are busy, work in Japan, and are not employed by the plaintiff.

Sincerely,

**Edward D. Manzo**  
Attorney at Law  
[emanzo@cookalex.com](mailto:emanzo@cookalex.com)

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Suite 2850  
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*Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd.*

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**From:** Geoff Baker [mailto:[gabaker@dowellbaker.com](mailto:gabaker@dowellbaker.com)]  
**Sent:** Friday, February 29, 2008 4:48 PM  
**To:** 'Louis Alex'; [robert@karton.us](mailto:robert@karton.us); [vern@francissenpatentlaw.com](mailto:vern@francissenpatentlaw.com)  
**Cc:** 'Edward Manzo'; 'Joel Bock'; 'Jason Smalley'  
**Subject:** RE: Plaintiff Miyano Machinery USA, Inc.'s First Set of Requests for the Production of Documents and Things

Please update us on the availability of Messrs. Ito, Nakagiri and Ichikawa to sit for deposition.

Thank you.

Geoff

Geoffrey A. Baker  
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Oak Park, IL 60302  
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**From:** Louis Alex [mailto:[lalex@cookalex.com](mailto:lalex@cookalex.com)]  
**Sent:** Thursday, February 28, 2008 6:22 PM  
**To:** [gabaker@dowellbaker.com](mailto:gabaker@dowellbaker.com); [robert@karton.us](mailto:robert@karton.us); [vern@francissenpatentlaw.com](mailto:vern@francissenpatentlaw.com)  
**Cc:** 'Edward Manzo'; 'Joel Bock'; 'Jason Smalley'  
**Subject:** Plaintiff Miyano Machinery USA, Inc.'s First Set of Requests for the Production of Documents and Things

Dear Gentlemen:

Please see the attached First Set of Requests for the Production of Documents and Things.

In accordance with the agreement to permit early discovery, we ask to receive the requested documents and materials in our offices by Monday, March 10, 2008.

Sincerely,

Louis J. Alex

**Louis J. Alex**  
Attorney at Law  
[lalex@cookalex.com](mailto:lalex@cookalex.com)

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